BEFORE THE LOK ADALATH

ORGANISED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE V.BHASKARAN NAMBIAR (RETD.JUDGE)
&
THE HONOURABLE MR. JUSTICE T.V.RAMAKRISHNAN (RETD.JUDGE)

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Mat.Appeal.No. 40 of 2003(F)

AGAINST THE JUDGEMENT IN OP.1695/1999 Dated 21/03/2003
.....

APPELLANT/PETITIONER/PETITIONER

THOMAS KURIAKOSE, OZAKAL HOUSE,
KALATHUKADAVU P.O., KOTTAYAM DISTRICT, KERALA,
INDIA, NOW EMPLOYED AT CASA DI CURA LUCA S.P.A.,
STRADA DELLA VETTA - 3, 10020 EREMO DI PECETTO,
TORINO - ITALY.

BY ADV. SRI.K.G.ANIL BABU
SRI.CYRIAC KURIAN

RESPONDENT: RESPONDENT/RESPONDENT

ABRAHAM MARY, MANALUVILA, VENNICODE P.O
(VIA) KADAKKAVUR, TVM DIST., KERALA, INDIA. NOW
EMPLOYED AT CASA DI CURA SAN LUCA S.P.A. STRADE
DELLA VETTA - 3, 10020 EREME DI PECETTO, TORINO -
ITALY, RESIDING AT VIA FRATELLI CALANDRA - 13,
10123, TORINO, ITALY.

BY ADV. SRI.R.S.KALKURA

THIS MATRIMONIAL APPEAL HAVING COME UP FOR DETERMINATION AT LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF SETTLEMENT.

JUSTICE V. BHASKARAN NAMBIAR
(RETIRED JUDGE, HIGH COURT OF KERALA)
&
JUSTICE T.V. RAMAKRISHNAN
(RETIRED JUDGE, HIGH COURT OF KERALA)

Mat.Appeal.No.40 OF 2003

Dated this the 24th day of May, 2007

A W A R D

Counsel for appellant and respondent and also the power of attorney holder of the respondent present. A joint compromise petition had been filed today for settling the dispute. The compromise is recorded and the appeal is disposed of on that basis.

As per the terms of the settlement, the appellant has paid Rs.12.5 lakhs by demand draft drawn in the name of Smt.Abraham Mary payable at SBT, Varkala as per D.D.No.''494439'' issued by SBT, Palai. The draft handed over to the power of attorney holder of Smt. Abraham Mary. The original title deed dated 26.3.1987 is handed over to the counsel for the appellant. Special power of attorney executed by Smt. Abraham Mary and attested before the Vice Consul, Consulate General of India, Milan is also handed over to the counsel for the appellant.

The parties have also prepared a joint petition for dissolution of the marriage to be filed before the High Court.

The appeal is settled as above.

Issue a copy of this order along with the compromise petition to the parties and their counsel.

JUSTICE V.BHASKARAN NAMBIAR
(RETIRED JUDGE, HIGH COURT OF KERALA)

JUSTICE T.V. RAMAKRISHNAN
(RETIRED JUDGE, HIGH COURT OF KERALA)

ps